United Nations A/68/133

General Assembly

Distr.: General
12 July 2013
English
Original: Arabic/Chinese/English/
French/Spanish

Sixty-eighth session
Item 99 (cc) of the preliminary list*
General and complete disarmament

Conventional arms control at the regional and subregional levels

Report of the Secretary-General

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* A/68/50.

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I. Introduction

1. In its resolution 67/62 on conventional arms control at the regional and subregional levels, the General Assembly decided to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels and requested the Secretary-General to seek the views of Member States on the subject and to submit a report to the General Assembly at its sixty eighth session.

2. Pursuant to that request, on 18 March 2013, the Secretariat sent a note verbale to Member States requesting their views on the subject. As of the writing of the present report, replies have been received from the following States: Argentina, Armenia, Burkina Faso, China, the Czech Republic, Germany, Jordan, Montenegro and Spain. These replies are reproduced in section II below. Subsequent replies will be issued as addenda to the present report.

II. Replies received from Member States

Argentina

[Original: Spanish]
[6 May 2013]

The Ministry of Defence of the Argentine Republic fully agrees with the proposal contained in paragraph 3 of resolution 67/62, and understands the need for principles that serve as a framework for regional agreements, which will enhance mutual trust between countries in the region by helping to establish tighter controls over conventional arms.

Armenia

[Original: English]
[8 May 2013]

United Nations resolution 67/62 offers an appropriate opportunity to raise issues and concerns related to conventional arms control at the regional and subregional level, to examine sources of disagreement and to identify opportunities to maintain and improve cooperation in this field.

Armenia reiterates its strong support for regional cooperation in the sphere of conventional arms control, which plays a significant role in promoting confidence-building and contributing to regional peace and security.

Guided by this principled approach, Armenia contributes to conventional arms control within the framework of the United Nations, the Organization for Security and Cooperation in Europe (OSCE) and the NATO Partnership for Peace/ Euro-Atlantic Partnership Council, making every effort to further strengthen the conventional arms control regime in the European area in general and the region of South Caucasus in particular.

Conventional arms control at the regional level

Treaty on Conventional Forces in Europe

The Treaty on Conventional Forces in Europe is one of the pillars of security and stability in the region. Its implementation has promoted an unprecedented and wide-scale disarmament process in Europe, sizably reduced the number of armaments, increased transparency and created an unprecedented culture of military-to-military cooperation. The Treaty has played a vital stabilizing role during the transition period in the European security environment.

Armenia is committed to the strict implementation of the provisions of the Treaty. In line with its Treaty obligations, Armenia receives inspection teams and exchanges information on the armed forces of Armenia, their structure, areas of deployment and armaments and equipment restricted under the Treaty. The reports of the inspection teams clearly state that Armenia is fully implementing the Treaty.

Armenia is concerned by the discord in the negotiations to strengthen and modernize the conventional arms control regime in Europe. The Armenian side advocates resumption of the negotiation process and modernization of the Treaty on Conventional Forces in Europe, or the elaboration of a new legally binding document, which must be comprehensive, including the key provisions and elements of the Treaty in Conventional Forces in Europe. Its implementation should not be subject to any conditions. Armenia deems it expedient to include in any new treaty provisions on sanctions for the violation of the treaty, which would improve its effectiveness. The current ceilings of conventional armaments and equipment restricted under the Treaty on Conventional Forces in Europe must be retained and lowered where possible, based on a national choice, in order to better reflect the prevailing security environment in Europe. The obligation to eliminate the disparity between the established ceilings and actual higher holdings should be strictly observed.

OSCE confidence- and security-building measures

The main tools for the Republic of Armenia in the field of conventional arms control are the OSCE confidence- and security-building measures: the Vienna Document 2011 on confidence- and security-building measures, the Global Exchange of Military Information, Code of Conduct. Armenia considers the OSCE confidence- and security-building measures to be part of its own security structure and as an important means for reducing actual and perceived threats to its own and to broader regional security.

Armenia actively participates in the implementation of the provisions of the Vienna Document, including receiving inspection teams and evaluation visits and exchanging relevant annual information.

The Armenian side has made significant contributions to the updating of the Vienna Document through its support for most of the suggestions on its modernization, some of which were adopted as decisions of the Forum for Security Cooperation and later incorporated into the Vienna Document 2011. Armenia advocates further modernization of the Vienna Document for preserving and strengthening security and stability in the European region, especially in the light of existing difficulties with the modernization of the Treaty on Conventional Forces in Europe.

Armenia provides an annual national report on conventional arms transfer to the OSCE Conflict Prevention Centre. The report is an important tool for promoting transparency among the OSCE member States in the field of their military cooperation and defence policy.

Situation with the conventional arms control regime at the subregional level

The fundamental role and significance of the Treaty on Conventional Forces in Europe remains highly relevant in the South Caucasian region, where, unfortunately, Azerbaijan continues very dangerous military build-up, leading to heavy militarization of the region and deterioration of the conventional arms control regime at the subregional level. According to official information on implementation of the Treaty on Conventional Forces in Europe and other official sources, including the United Nations Register, as of 1 January 2013 Azerbaijan significantly exceeds its established ceilings in three categories of equipment restricted under the Treaty on Conventional Forces in Europe. The Azerbaijani holdings in battle tanks are 412 (permitted ceiling is 220), its holdings in armoured combat vehicles are 587 (permitted ceiling is 220), and its holdings in artillery are 688 (permitted ceiling is 285). In 2012, Azerbaijan has acquired at least 31 battle tanks, 173 armoured combat vehicles, 90 pieces of artillery, 5 combat and combat capable training aircraft and 4 attack helicopters. Thus, Azerbaijan continues its policy of pursuing a wide-scale military build-up and the non-declaration of a significant amount of acquired armaments.

Azerbaijan continues its usual practice of declaring in its annual exchange of information, that certain units of its armed forces are located along the Nagorno Karabakh conflict line and their peacetime location is "on the territory of the Republic of Azerbaijan occupied by the Armed Forces of the Republic of Armenia". Along with these baseless and false motivations, Azerbaijan does not include such units in chart V of its annual exchange of information and rejects the inspection of such units, thus excluding 3 out of its 5 Corps or 14 out of its 23 motorized rifle brigades from requirements under the Treaty on Conventional Forces in Europe. This provides the Azeri side with an opportunity to concentrate large forces and military equipment along the borders of the Republic of Armenia and the line of contact with the Nagorno Karabakh Republic.

The manifold increase in Azerbaijan's military budget over the last years, an increase of more than 25 times over the last 10 years (the defence budget for 2003 was $135 million, while in 2013 is $3.7 billion; according to data from the Stockholm International Peace Research Institute, in 2011 Azerbaijan was the first country in the world in terms of growth of its military budget, by 88 per cent), also heightens the tensions in the region of the South Caucasus and seriously undermines the negotiation process aimed at the peaceful settlement of existing problems, particularly the Nagorno Karabakh conflict. The negligent position of Azerbaijan in this regard has had a very negative impact on the efforts of Armenia to promote an atmosphere of trust and cooperation in the region.

Burkina Faso

[Original: French]
[14 June 2013]

Conventional arms control on the African continent has had varying degrees of success in different regions. The chronic insecurity arising from the use of uncontrolled arms is a major scourge for all African States.

At the regional level

One source of concern for Governments is the terrorist threat in the Maghreb (North Africa); the hostage crisis at the In Amenas gas plant in Algeria in early 2013 is a perfect example. Al-Qaida in the Islamic Maghreb is active in the Sahel region, which has become a veritable sanctuary and gateway for all types of trafficking, including trafficking in persons, arms and drugs.

The resolutions of the so-called "Arab spring" in general, and the fall of the Libyan regime in particular, have resulted in a proliferation of arms outside this area of the continent. The Malian crisis seems to have been a direct result of the Libyan crisis.

In Central Africa, the situation with regard to conventional arms control is also bleak. In the Central African Republic, Seleka rebels overthrew the regime of General François Bozize using weapons which, unfortunately, have been used to commit abuses against civilian populations.

In the Great Lakes region, countries such as the Democratic Republic of the Congo (which is currently the site of the largest United Nations peacekeeping mission, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)), Rwanda and Uganda have for several years been involved in situations that constitute neither peace nor war, with the presence of rebel movements such as the Mouvement du 23 mars and the Lord's Resistance Army. These groups rape, pillage and commit drug-related offences using weapons that, for the most part, slip through the controls and regulations in force.

East Africa, especially the Horn of Africa, has likewise not been spared from the scourge of the illicit traffic in conventional arms. Al-Shabaab rebels continue to plague Somalia despite the beneficent presence of African Union forces.

The same is true in Darfur, the Sudan, where, despite the deployment of United Nations peacekeepers, arms used by the warring factions continue to circulate illegally.

At the subregional level

The wars in Liberia and Sierra Leone are without a doubt one of the darkest pages in the record of uncontrolled use of arms in the West African region.

Today, sociopolitical tensions in Guinea-Bissau and Guinea, where stability and democracy are still fragile, threaten to result in the reckless use of conventional arms.

Terrorist threats and attacks by the Boko Haram Islamist sect in northern Nigeria are seriously infringing the individual and collective freedoms of civilian populations.

Similarly, the crises in Côte d'Ivoire and the Casamance region of Senegal cannot be ignored, since they inevitably involve the uncontrolled use of conventional arms on both sides.

Armed rebellions are also a source of uncontrolled traffic in arms, as in the case of the Tuareg rebellion in Mali. The illicit traffic in arms in that country is having a significant destabilizing effect on the subregion. Despite intervention by France and African countries, which has neutralized or reduced the capacity of some terrorist groups to do harm, it must be acknowledged that the terrorist threat persists.

Given that Burkina Faso is situated at the heart of West Africa and borders six countries, it cannot escape the problems associated with porous borders, which make it difficult to control the circulation of arms and to manage inventories. In order to bolster its capacity to tackle the illegal traffic in and use of arms, bearing in mind the scourge of arms proliferation, the Government of Burkina Faso has established bodies such as the National Commission to Combat the Proliferation of Small Arms, which, among other responsibilities, helps to implement a national policy to combat the proliferation of small arms and light weapons. It has also established a high authority to control the import and use of arms, as part of its efforts to prevent any illicit arms trafficking in the national territory.

Meanwhile, the States members of the Economic Community of West African States (ECOWAS) have adopted the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials to ensure efficient control over the proliferation of conventional arms in the subregion. The ratification of that Convention by the majority of member States has helped to strengthen the oversight of arms and ammunition transfers in the ECOWAS area.

Despite the countless efforts and legal instruments with which the international community has sought to combat and reduce their use, arms continue to be used every day, inflicting daily harm on populations, mainly civilian, at the subregional and regional levels.

In conclusion, conventional arms control requires the rigorous management of national weapons stockpiles involving:

- Regular reviews in which inventories are "purified" through the destruction of obsolete and decommissioned weapons;
- The periodic destruction of decommissioned ammunition.

Such operations, which are already carried out in Burkina Faso, could be given a formal structure through the establishment of a legally binding regional peer control system for conventional arms inventories. This system would reinforce existing subregional agreements, such as the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, which has been in force since September 2009 and to which Burkina Faso is a signatory.

China

[Original: Chinese]
[31 May 2013]

China attaches great importance to addressing the humanitarian concerns caused by conventional weapons such as small arms and light weapons and landmines. China is party to Convention on Certain Conventional Weapons and to all its annexed protocols. China has earnestly implemented its treaty obligations and provided humanitarian assistance to victim countries. China has fully implemented the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects, and has made unremitting efforts in legislation, law enforcement, capacity-building, international exchange and cooperation. China has submitted its national report on the implementation of the Programme of Action four times. In 2012, China took part in the second review conference on the Programme of Action, its preparatory meeting as well as a regional conference on the Programme of Action, including promoting a set of outcome documents at the review conference. China supports the conclusion of the Arms Trade Treaty, which could regulate transactions of conventional arms, and it has played a positive role in the negotiation process.

Czech Republic

[Original: English]
[18 June 2013]

Arms control is one of the priorities of the foreign policy of the Czech Republic, which makes an effort to actively prevent armed conflicts through preventive diplomacy, with an emphasis on multilateral cooperation. Should a crisis or armed conflict arise, the Czech Republic seeks timely resolution by diplomatic means whenever possible.

The Czech Republic is involved in the following international treaties and conventions in the field of conventional arms control at the regional and subregional levels:

- Treaty on Conventional Armed Forces in Europe.
- Agreement on Sub-regional Arms Control: article IV, annex 1.B, of the General Framework Agreement for Peace in Bosnia and Herzegovina.

The Czech Republic continuously implements all commitments stemming from international agreements on conventional arms control, disarmament and confidence- and security-building measures in Europe. Their implementation is regularly reported to the pertinent organizations. Information exchange is taking place where required.

Activities of the Czech Republic under the Treaty in Conventional Forces in Europe:

- Organized and conducted one multinational inspection abroad (with participation of four inspectors from four countries);

- Organized two multinational training inspections (with participation of 20 inspectors from 10 countries);
- Took part in five NATO inspection teams abroad.

As regards the Treaty in Conventional Forces in Europe, the Czech Republic finds itself at the crossroads. The Czech Republic considers the preservation of effective conventional arms control regime as one of the key elements of European security. The Czech Republic stands ready to work with all States parties towards the revitalization of conventional arms control measures in Europe that will preserve the indispensable principles of transparency, restraint and host nation consent.

The Czech Republic, according to the Agreement on Sub-regional Arms Control: article IV, annex 1.B, of the General Framework Agreement for Peace in Bosnia and Herzegovina:

- Sends two assistants to support article IV inspection.

Germany

[Original: English]
[30 April 2013]

Germany is dedicated to confidence-building and conventional arms control measures at the regional level. Germany attaches great importance and devotes considerable commitment to OSCE as its relevant regional security organization. Detailed information about Germany's commitment regarding regional security and confidence-building can be found in Germany's 2012 contribution to the database on confidence-building measures in the field of conventional arms (see resolution 67/49) as well as Germany's report on "Confidence-building measures in the regional and subregional context" (see resolution 67/61).

With regard to the request formulated in paragraph 2 of General Assembly resolution 67/62, Germany does not currently consider the Conference on Disarmament to be the appropriate forum for the formulation of principles regarding regional agreements on conventional arms control. Germany notes that non-universal membership of the Conference on Disarmament may prevent specific regional contexts from being adequately taken into account when formulating such principles.

Germany would like to add that it would consider it natural that States having initiated or sponsored a General Assembly resolution that includes a request of the Secretary-General to seek the views of Member States on the given subject would report accordingly in a timely and comprehensive manner to the Secretary-General.

Jordan

[Original: Arabic]
[15 May 2013]

Conventional arms control at the regional and subregional levels

International arms control efforts began at the turn of the twentieth century at the Hague Conferences of 1899 and 1907, which sought to restrict military spending and regulate the conduct of war by defining the rights and responsibilities of belligerent and non-belligerent States during combat.

Arms control measures aim to reduce military capabilities or fully prohibit certain categories of widely used weapons, given that armament is in itself a primary source of tension and war. For that reason, a reduction in the number of weapons would in turn reduce the likelihood of protracted armed conflict.

The General Assembly resolution on conventional arms control at the regional and subregional levels promotes peace and security at the regional and international levels.

States that manufacture and maintain large arsenals of conventional arms have a responsibility to control such arms, and can make thereby an effective reduction in their number and strengthen agreements concerning regional security.

Conventional arms control should go hand in hand with negotiations and conventions for the reduction of stocks of nuclear weapons and weapons of mass destruction.

It is important that conventional arms control measures respect the right of States to possess arms in order to guarantee their own security and that no distinction be made between States in that regard.

The principle of equal security for all must be the basis on which conventional arms control measures are taken. The security of any State represents a red line, and is the legitimate right of every State. The concept of State security must be the same for all States: the security of one State cannot be more important than that of another State.

In order to ensure the success of arms measures at the regional and subregional levels, it is important to consider and address the reasons for an arms race. The fact that one regional power is heavily armed will prompt the other States of the region to acquire arms in order to maintain strategic balance in respect of conventional arms.

It is therefore essential to focus on resolving international conflicts and, in particular, the Arab-Israeli conflict, in order to prevent an arms race in the region.

Jordan has consistently affirmed its respect for the principles set forth in United Nations instruments relating to arms, sovereignty and the equality of States and for the right of States to own and acquire conventional arms for the purposes of legitimate self-defence.

Jordan is committed to United Nations resolutions and has signed numerous international agreements and conventions relating to conventional and other arms. It shares the concern of the international community in regard to the issue.

Montenegro

[Original: English]
[10 May 2013]

Since 2007, Montenegro has been a full member of the Agreement on Sub-regional Arms Control, under which the stockpiling and use of the following conventional arms are restricted: combat tanks, artillery with angled trajectory above 75 mm, armoured cars, combat helicopters and combat aircrafts, all according to the article IV of General Peace Agreement in Bosnia and Herzegovina.

In the course of its efforts to enforce the Agreement, Montenegro carries out controlled inspections of weaponry, which are limited by the General Agreement in the territories of Serbia, Croatia and Bosnia and Herzegovina (agreement parties), once a year (inspection of reported sites). In addition, Montenegro allows other parties to carry out one inspection per year in its territory.

Montenegro gives a significant contribution to confidence-building activities in the region. There were no complaints whatsoever, neither by other parties to the Agreement, nor by the representatives of OSCE, which controls the enforcement of the Agreement. In addition, information on the nature and the amount of controlled arms has been exchanged with other parties to the Agreement. Montenegro therefore fully fulfils all of its obligations as far as the Agreement is concerned.

Spain

[Original: Spanish]
[5 April 2013]

The ultimate goal of any system of arms control or confidence- and security-building measures should be to prevent conflict by reducing the dangers of misunderstanding or miscalculation of military activities of other countries, taking steps to impede covert military preparations, reducing the risk of surprise attacks, and reducing the risk of the outbreak of war by accident.

The measures agreed upon may be legally or politically binding, but in any case should meet a series of requirements that can be summed up in the following principles:

- Specificity: measures should be specifically negotiated for each case and each geographical area.
- Transparency: this should be based on exchanges of information and the establishment of regular contacts and free-flowing communication.
- Verifiability: the measures adopted should include a system for verifying their implementation. This is the only way to maintain confidence in cases of suspected non-compliance.
- Reciprocity: each party's gains in terms of a higher level of confidence in the other parties should be matched by similar gains in the other parties' levels of confidence. Otherwise, measures of this type will be much harder to negotiate.
- Voluntary nature of negotiations and mandatory nature of compliance: the parties should feel comfortable with the measures agreed at each stage of the

process. In addition, the political will required for the negotiation of measures of this type should be commensurate with the mandatory nature of compliance with these measures.

- Progressivity: the measures should be seen as a process in which new and more effective measures are progressively developed as confidence between the parties improves.

- Complementarity: care should be taken at all times to ensure complementarity between the measures adopted at the global (United Nations), regional, subregional and bilateral levels and to avoid the duplication of measures.

Moreover, an arms control regime, in order to be effective, requires:

- A consultative body to monitor the implementation of measures under its control. All parties should be represented in such a body, which should provide for the reporting of any problems encountered in the practical application of the measures, as well as for the negotiation of new measures or the modification of existing ones. This body should be able to exert enough political pressure to convince the parties of the need for full compliance with the commitments undertaken (the involvement of the most powerful countries in each region is therefore extremely important).

- A suitable system of communication that enables the parties to meet the response deadlines laid down in the various measures and that is flexible enough to ensure the flow of information needed to restore confidence in the event of any disturbances.

The establishment of confidence-building measures, especially among affected neighbouring States, the strengthening of border controls and the training of specialized staff, among other arrangements, could create a propitious environment for the elaboration of supranational (including subregional) arms control agreements.

In addition, regional and subregional conventional arms control agreements should take into account the importance of:

- Establishing new confidence-building measures among neighbouring countries and strengthening those currently in place.

- Establishing restrictions on the main categories of conventional arms systems and equipment, as an essential element for promoting stability, limiting the accumulation of arms and enhancing predictability between the parties.

- Compiling an arms inventory in the countries where such inventories do not yet exist.

- Increasing transparency measures within the regional and subregional forums themselves.

- Disseminating the objectives of such forums to countries in the area that have not yet endorsed them.

- Strengthening measures to promote universal adherence to the various international instruments.

- Strictly enforcing criteria for the issuance of arms export and import permits by national authorities.
- Strengthening mechanisms for monitoring weapons manufacturers and, in cases where the weapons purchased are not end products, suppliers and component assemblers.